

### **REMARKS**

The Applicant thanks the Examiner for the thorough consideration given the present application. Claims 6, 7 and 10 are cancelled herein without prejudice to or disclaimer of the subject matter contained therein. Claims 1-5, 8, 9, and 11 are pending, each of which is amended. Claim 1 is independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

### **Examiner Interview**

If, during further examination of the present application, any further discussion with the Applicant's Representative would advance the prosecution of the present application, the Examiner is encouraged to contact Carl T. Thomsen, at 1-703-208-4030 (direct line) at his convenience.

### **Drawings**

It is gratefully appreciated that the Examiner has indicated that the drawings have been accepted.

### **Claim for Priority**

It is gratefully appreciated that the Examiner has acknowledged the Applicant's claim for foreign priority based on Japanese Patent Application Nos. 2004-8066 and 2004-8067.

**Information Disclosure Citation**

The Applicant thanks the Examiner for considering the reference supplied with the Information Disclosure Statement filed July 14, 2008, and for providing the Applicant with an initialed copy of the PTO/SB/08 form filed therewith.

**Rejections Under 35 U.S.C. §102(b) and 103(a)**

Claims 1 and 6 stand rejected under 35 U.S.C. §102(b) as being anticipated by Yoshimura (JP 2003-096469);

claim 1 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Tachibana (U.S. 5,738,025) in view of Yoshimura;

claim 2 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura in view of Tachibana (U.S. 5,738,025);

claims 3-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura in view of Tachibana (JP 11-005984);

claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura in view of Tsutsumi et al. (U.S. 2004/0220337);

claims 8 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura in view of Jiang (U.S. 2002/0156332); and

claims 9 and 11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yoshimura in view of Sugiyama (JP 2002-309270).

These rejections are respectfully traversed.

**Amendments to Independent Claim 1**

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the present application, independent claim 1 has been amended herein to recite a combination of elements directed an oil reconversion device for waste plastics, including *inter alia*

wherein the thermal cracking bath includes an agitating mechanism having an agitate-scraping unit,

wherein the agitate-scraping unit is adapted to agitate a molten plastic contained in the bath main body, and to scrape the molten plastic adhering to the inner wall of the bath main body, and

the agitate-scraping unit includes a heater capable of heating a top surface of the molten plastic contained in the bath main body.

The subject matter now incorporated into independent claim 1 was previously contained in dependent claims 6 and 7. In addition, the Examiner is directed to FIGS. 1, 3, 9, and 10, for example, which illustrate "heater (13a, 13b) capable of heating a top surface of the molten plastic contained in the bath main body (4)," as presently claimed.

**Regarding Yoshimura, Tachibana (JP '984), and Tsutsumi et al. (U.S. 337)**

On page 5 of the Office Action, the Examiner rejects dependent claim 7 based his understanding of the combination of three references (Yoshimura, Tachibana (JP 11-005984), and Tsutsumi et al. (U.S. 2004/0220337). In particular, the Examiner refers to

paragraph [0106] of Tsutsumi et al., and alleges that this document discloses an agitating element including a heater. However, paragraphs [0105] and [0106] of the Tsutsumi et al. document merely disclose “dry heating of a PPS resin” and an “agitating element-including heater.” However, nowhere in the Tsutsumi et al. document is there any hint or suggest of where PPS resin is located of where the heater is located. Further, the Tsutsumi et al. document fails to disclose a thermal cracking bath main body.

Therefore, the Tsutsumi et al. document fails to disclose “the agitate-scraping unit includes a heater (13a,13b) capable of heating a top surface of the molten plastic contained in the thermal cracking bath main body (4),” as disclosed in independent claim 1, as amended herein.

Since the “agitating element- including heater” of Tsutsumi et al. is NOT associated with a “thermal cracking bath main body,” it is not proper for the Examiner to allege that it would be obvious to one skilled in the art to combine the heater of Tsutsumi et al. with Yoshimura and Tachibana et al. to arrive at the invention set forth in independent claim 1.

At least for the reasons explained above, the Applicants respectfully submit that the combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Yoshimura, Tachibana (JP 11-005984), and Tsutsumi et al.

Therefore, independent claim 1 is in condition for allowance.

**Dependent Claims**

The Examiner will note that dependent claims 6, 7, and 10 have been cancelled, and dependent claims 2-5, 8, 9, and 11 have been amended to place them in better form.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

All pending claims are now in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

**CONCLUSION**

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

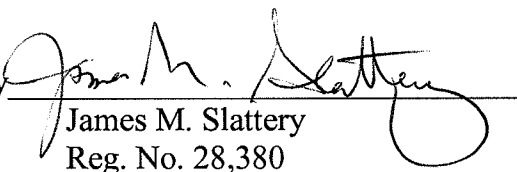
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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By   
James M. Slattery  
Reg. No. 28,380

BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road, Suite 100E  
P. O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

JMS:CTT:ktp 